

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE**

STATE OF TENNESSEE

Plaintiff,
vs.

Case No.: 2:23-cr-20191-MSN

TADARRIUS BEAN

Defendant.

**JOINDER IN MOTION TO COMPEL
OF DEFENDANT DEMETRIUS HALEY**

While Co-Defendants have thoroughly expressed the concerns of counsel for Defendant Tadarrius Bean in the motions to compel, Bean hereby joins said motion.

The Government has taken a position that defies settled principles of discovery and due process.

1. The Government believes that while five (5) officers face the possibility of life in prison, evidence that the Government has gathered, tested, and organized should not be given to counsel of said Defendants. While not assuming what Tyre Nichols' cell phone contained, it very well has contained the following:
 - A. The contents of the Tyre Nichols cell phone extraction data could show evidence of: state of mind, mood, agitation, honesty, willingness to provoke officers, influence of narcotics, etc.
 - B. The contents of the phone may produce a plethora of fact witnesses that will testify about Mr. Nichols' activity before the incident and why he would have been willing to place the safety of officers and general public at risk by his

dangerous driving, consistent attempts to flee, and his unhuman strength on the Raines and Ross, and then Castlegate scenes respectively.

2. The Government is clearly incorrect in the belief that they should be able to gather an item that the investigators in this case believed probative, test the item, but then tell the other side of the case that it can not be turned over because they think some of the information and data may be sensitive and or private in nature. Such a position is not in keeping with the spirit of Federal Rules of Criminal Procedure- Rule 16. Discovery and Inspection. (E) Documents and Objects and (F) Reports of Examinations and Test.

On or about Monday September 25, 2023, Counsel for Bean stated his concerns by telephonic conversation with David Pritchard and subsequently followed by a letter dated September 29, 2023.

For the foregoing reason, John Keith Perry, counsel for Tadarrius Bean joins in the motions to compel data extracted from the cell phone of Tyre Nichols.

Respectfully submitted,

PERRY GRIFFIN, PC
/s/ John Keith Perry, Jr.
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CERTIFICATE OF SERVICE

I, John Keith Perry, certify that a true and correct copy of the above and foregoing Notice of Appearance unto the following, United States District Attorney for the Western District of Tennessee, via the Court's electronic filing system.

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This the 10th day of October 2023

/s/ John Keith Perry, Jr.
JOHN KEITH PERRY, JR.